

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61963 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- SURYAPURA District- Rohtas

1. RAMESH SAH @ RAMESHWAR SAH Son of Late Balkeshwar Sah Resident of Village - Dhodhandih, Police Station - Surajpura, District - Rohtas.
2. Anil Sah @ Anil Kumar Gupta Son of Late Balkeshwar Sah Resident of Village - Dhodhandih, Police Station - Surajpura, District - Rohtas.
3. Prakash Sah @ Jay Prakash Sah Son of Late Balkeshwar Sah Resident of Village - Dhodhandih, Police Station - Surajpura, District - Rohtas.
4. Brijesh Kumar Gupta Son of Anil Sah @ Anil Kumar Gupta Resident of Village - Dhodhandih, Police Station - Surajpura, District - Rohtas.
5. Ashok Sah @ Ashok Kumar Son of Late Jadghari Sah (Manikchand is wrong name in the F.I.R.), Resident of Village - Dhodhandih, Police Station - Surajpura, District - Rohtas.
6. Akash Kumar Gupta @ Rinku Kumar Son of Umashankar Sah Resident of Village - Dhodhandih, Police Station - Surajpura, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raghunandan Kumar Singh, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Raghunandan Kumar Singh, learned counsel for the petitioners and Mr. Bhanu Pratap Singh, learned A.P.P. for the State.

2. Learned counsel for the petitioners submits that during the pendency of this application, petitioner no. 1, namely, Ramesh Sah @ Rameshwar Sah got arrested. So, the present bail application has become infructuous. Hence, he seeks permission to withdraw this anticipatory bail application with respect to petitioner no. 1.



3. Permission is accorded.

4. The present application stands dismissed as withdrawn as having become infructuous with respect to petitioner no. 1, namely, Ramesh Sah @ Rameshwar Sah.

5. The petitioners (except petitioner no. 1) are apprehending their arrest in connection with Suryapura P.S. Case No. 144 of 2025, F.I.R. dated 01.05.2025 for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 115(2), 118(1), 109, 351(2), 352 of the BNS, 2023.

6. According to prosecution case, the petitioners along with other accused persons are said to have assaulted the informant and his family members due to which they became injured.

7. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the FIR itself that due to some petty dispute, the present occurrence has taken place and there is case and counter case between the parties. He further submits that although, the petitioners are named in the FIR, from a bare perusal of the FIR, it appears that there is no specific allegation of any assault or overt act attributed against petitioner nos. 2, 3 and 5 namely, Anil Sah @ Anil Kumar Gupta, Prakash Sah @ Jay Prakash Sah and Ashok Sah @ Ashok Kumar respectively. The allegation of assault is



against petitioner nos. 4 and 6 namely, Brijesh Kumar Gupta and Akash Kumar Gupta @ Rinku Kumar. Petitioner no. 4, namely, Brijesh Kumar Gupta has assaulted Manjeet Kumar and petitioner no. 6, namely, Akash Kumar Gupta has assaulted Nitish Kumar with knife. Both persons have received injury but their injury reports suggest that injuries are simple in nature caused by hard and blunt substance.

8. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

9. Considering the aforesaid facts and circumstances, the petitioners have clean antecedent, there is case and counter case between the parties and injuries inflicted upon injured persons are found to be simple in nature, let the petitioner nos. 2, 3, 4, 5 and 6, namely, Anil Sah @ Anil Kumar Gupta, Prakash Sah @ Jay Prakash Sah, Brijesh Kumar Gupta, Ashok Sah @ Ashok Kumar and Akash Kumar Gupta @ Rinku Kumar respectively, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Bikramganj, Rohtas in connection with Suryapura P.S. Case No. 144 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/ 482(2) of the BNSS, 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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